

LEMAIRE PATENT LAW FIRM, P.L.L.C.
EXPERTS IN PATENTING COMPLEX TECHNOLOGY

S/N 09/816,603

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark L. Jenson

Examiner: Raymond Alejandro

Serial No.: 09/816,603

Group Art Unit: 1745

Filed: March 23, 2001

Docket No.: 1327.009US1

Title: CONTINUOUS PROCESSING OF THIN-FILM BATTERIES AND LIKE DEVICES

COMMUNICATION CONCERNING REQUEST FOR REFUND

To: USPTO - Office of Finance - Refund Branch

Fax Number: 1-571-273-6500

Re: **ERRONEOUS LARGE-ENTITY RCE FEE CHARGE** for above-referenced Patent Application

Dear Sir or Madam:

On December 16, 2005 a Request for Continued Examination was filed by facsimile for the above-referenced patent application. Our own firm's facsimile-transmission cover-sheet requested that the small-entity \$395 fee be charged to our Deposit Account (No. 502931). The "Request for Continued Examination (RCE) Transmittal" that also was submitted (form PTO/SB/30) stated: "APPLICANT CLAIMS SMALL-ENTITY STATUS". (Courtesy copies accompany this communication.) Despite these two notifications of small-entity status a LARGE-ENTITY RCE Fee of \$790 was erroneously charged to Deposit Account No. 502931 on December 20, 2005 (see accompanying courtesy copy), when a SMALL-ENTITY RCE Fee of \$395 should in fact have been charged.


Applicant respectfully request that this mistake be corrected, and \$395 be REFUNDED to our account: **Deposit Account 502931**

Respectfully submitted,
Mark L. Jenson
By his Representative,

Lemaire Patent Law Firm, P.L.L.C.
P.O. Box 11358
St. Paul, MN 55111
Telephone: (952) 278-3501

Date December 20, 2005

By


Charles A. Lemaire
Reg. No. 36,198

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office at Fax No. 1-571-273-6500 on this 20th December, 2005.


Gregory A. Lemaire

RIVERVIEW OFFICE TOWER, SUITE 1500
8009 34TH AVENUE SOUTH BLOOMINGTON, MN 55425-1608
TELEPHONE: (952) 278-3500 FAX: (952) 278-3599 WEBSITE: LPATENT.COM

LEMAIRE PATENT LAW FIRM, P.L.L.C.

P.O. Box 11358, ST. PAUL, MN 55111

CUSTOMER NUMBER 40064

TELEPHONE 952-278-3500 FACSIMILE 952-278-3599

December 16, 2005

Time: 9:51 CST

TO: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

FAX NUMBER: 1-571-273-8300PATENT

Applicants: Mark L. Jenson

Serial No.: 09/816,603

Filed: March 23, 2001

Examiner: Raymond Alejandro

Group Art Unit: 1745

Docket No.: 1327.009US1

Title: CONTINUOUS PROCESSING OF THIN-FILM BATTERIES AND LIKE DEVICES

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ This Fax Transmittal (1 page);
- ☒ Request for Continued Examination (RCE), Form SB/30 (1 page - 2 copies);
- ☒ Amendment and Response and RCE under 37 CFR § 1.114 (9 pages);
- ☒ Supplemental Information Disclosure Statement (1 page);
- ☒ Form SB/08 (Substitute Form 1449) (1 page).

Please charge the Small Entity RCE fee (\$395), and any additional fees, or credit overpayment, to Deposit Account No. 502931.

If not provided for in a separate paper filed herewith, please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 502931.

Total pages of this transmission, including this cover letter: 14 pages.

If you do NOT receive all of the pages described above, please contact us by telephone at 952-278-3500, or by fax at 952-278-3599.

By: 

Charles A. Lemaire/ Reg. No.: 36,198

CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Fax No. 1-571-273-8300 on this 16th day of December, 2005.


Dale J. Thomforde

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PTO/SB/30 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/818,603
Filing Date	March 23, 2001
First Named Inventor	Mark L. Jenson
Art Unit	1745
Examiner Name	Raymond Alejandro
Attorney Docket Number	1327.009US1

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on 28 November 2005
- ii. ☐ Other _____

- b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)

- iii. ☐ Information Disclosure Statement (IDS)

- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other APPLICANT CLAIMS SMALL-ENTITY STATUS

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 502931. I have enclosed a duplicate copy of this sheet.

- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>Charles A. Lemaire</u>	Date	December 16, 2005
Name (Print/Type)	Charles A. Lemaire	Registration No.	36,198

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below

Signature	<u>[Signature]</u>	Date	December 16, 2005
Name (Print/Type)	Dele J. Thorndore		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Deposit Account Statement


**United States
Patent and
Trademark Office**
**Deposit Account Statement**

Requested Statement Month:

December 2005

Deposit Account Number:

502931

Name:

LEMAIRE PATENT LAW FIRM PLLC

Attention:

CHARLES A LEMAIRE

Address:

1500 RIVERVIEW OFFICE TOWER

City:

BLOOMINGTON

State:

MN

Zip:

55425-1608

Country:

UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/02	31	09816603	1327009US1	1806	\$180.00	\$1,320.00
12/02	60	60740968	5032.012PV1	2005	\$100.00	\$1,220.00
12/08	5	10948328	5015.001US1	2801	\$395.00	\$825.00
12/08	6	10948328	5015.001US1	2202	\$50.00	\$775.00
12/08	25	E-REPLENISHMENT		9203	-\$1,725.00	\$2,500.00
12/12	126	60748379	5032.011PV1	2005	\$100.00	\$2,400.00
12/12	264	60700425		8021	\$40.00	\$2,360.00
12/12	265	60699895		8021	\$40.00	\$2,320.00
12/13	117	11238545	5017.001US1	8021	\$40.00	\$2,280.00
12/13	222	11298395	5018.001US1	2011	\$150.00	\$2,130.00
12/13	223	11298395	5018.001US1	2111	\$250.00	\$1,880.00
12/13	224	11298395	5018.001US1	2311	\$100.00	\$1,780.00
12/16	19	E-REPLENISHMENT		9203	-\$1,220.00	\$3,000.00
12/16	194	09815983	1327.005US1	2501	\$700.00	\$2,300.00
12/16	195	09815983	1327.005US1	1504	\$300.00	\$2,000.00
12/20	60	09816603	1327009US1	1801	\$790.00	\$1,210.00

START
BALANCE
\$1,500.00

SUM OF
CHARGES
\$3,235.00

SUM OF
REPLENISH
BALANCE
\$2,945.00

END
BALANCE
\$1,210.00

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PTO/SB/30 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

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Application Number	09/816,603
Filing Date	March 23, 2001
First Named Inventor	Mark L. Jensen
Art Unit	1745
Examiner Name	Raymond Alejandro
Attorney Docket Number	1327.009US1

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ii. ☐ Other _____

b. ☒ Enclosed

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i. ☒ RCE fee required under 37 CFR 1.17(e)

12/20/2005 HTECKLU1 00000057 502931 09816603

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

01 FC:1801 790.00 DA

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Charles A. Lemaire</i>	Date	December 16, 2005
Name (Print/Type)	Charles A. Lemaire	Registration No.	36,198

CERTIFICATE OF MAILING OR TRANSMISSION

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Signature	<i>Dale J. Thorndike</i>
Name (Print/Type)	Dale J. Thorndike
Date	December 16, 2005

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Adjustment date: 01/19/2006 EEKUBAY1
12/20/2005 HTECKLU1 00000057 502931 09816603
01 FC:1801 790.00 CR

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01/19/2006 EEKUBAY1 00000012 502931 09816603

01 FC:2801 395.00 DA